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By Ann F. Griffith  
Ann F. Griffith

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MICHAEL LEBRUN ET AL :

SERIAL NO. 08/945,144 :

FILED: OCTOBER 14, 1997 :

FOR: MUTATED 5-ENOL PYRUVYLSHIKIMATE- :  
3-PHOSPHATE SYNTHASE, GENE CODING :  
FOR SAID PROTEIN AND TRANSFORMED :  
PLANTS CONTAINING SAID GENE

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Assistant Commissioner for Patents  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure, Applicants submit  
information currently known to Applicants which may be material  
to examination of this application. Copies of references are  
provided, and each reference is listed in the accompanying PTO  
1449 form.

On January 15, 1998, Applicants transmitted to the Patent  
and Trademark Office an English language copy of the  
International Preliminary Examination Report. The references  
cited in that report are included in this submission, as are  
additional references.

Applicants call attention to WO 95/06128 (DeKalb Genetics Corporation), and in particular, page 119, 2d paragraph of that reference. This reference is not admitted to be prior art against the present application. Note that the publication date of the reference (March 2, 1995) is less than one year prior to the priority date (effective filing date) of the present application (July 19, 1995).

No fee is believed to be required by this submission, since no action on the merits has yet issued. If any fee is required, however, authorization is given to charge the account of the undersigned attorneys, Account No. 03-2775.

Respectfully submitted,

CONNOLLY AND HUTZ

By 

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<b>TO:</b>	<b>FAX NUMBER:</b>
Examiner David Kruse	703-305-7401

**FROM:** Robert G. McMorrow, Jr., Esquire**RE:**

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